

STATE OF INDIANA

IN THE LAKE SUPERIOR COURT

SS:

COUNTY OF LAKE

CAUSE NO. 45D10-0211-PL-00133

STATE OF INDIANA,

Plaintiff,

v.

JOE BUCCI,  
individually and doing business as  
CROWN MOTOR SALES

Defendant.

*Filed in Open Court*

MAY 06 2003

*Anna M. Anton*  
CLERK LAKE SUPERIOR COURT

**CONSENT JUDGMENT**

The Plaintiff, State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Terry Tolliver, and the Defendant, Joe Bucci, individually and doing business as Crown Motor Sales, hereby agree to entry of a Consent Judgment without trial or adjudication of any issue of fact or law herein

The parties believe it is in their best interest to resolve the issues raised by the State of Indiana and avoid further litigation. This Consent Judgment does not constitute an admission by the Defendant of any wrongdoing, nor shall it be construed as an abandonment by the Attorney General of his position that the Defendant violated Indiana's Deceptive Consumer Sales Act. The parties consent to entry of a final judgment in this proceeding by the Court and accept this Consent Judgment as final on the issues resolved herein.

## **JURISDICTION AND SCOPE OF JUDGMENT**

This Court has jurisdiction and venue over the subject matter of this action and the parties hereto.

2. The State of Indiana's Complaint for Injunction, Costs, and Civil Penalties states a cause of action pursuant to the Indiana Deceptive Consumer Sales Act, Indiana Code § 24-5-0.5-1 *et seq.*

3. The Defendant, Joe Bucci, is an individual doing business as Crown Motor Sales, with a principal place of business in Lake County, located at 1010 East Joliet Road, Crown Point, Indiana.

### **RELIEF ORDERED**

4. The Defendant is permanently enjoined from engaging in the following acts and making, causing to be made, or permitting to be made the following representations:

- a. representing that the subject of a consumer transaction has sponsorship, approval, performance, characteristics, accessories, uses, or benefits it does not have which the Defendant knows or should reasonably know it does not have;
- b. representing that the subject of a consumer transaction involves or does not involve a warranty, a disclaimer of warranties, or other rights, remedies, or obligations, if the representation is false and if the Defendant knows or should reasonably know that the representation is false;

c. representing expressly or by implication that the Defendant is able to deliver or complete the subject of a consumer transaction within a reasonable period of time, when the Defendant knows or reasonably should know that he can not;

d. representing expressly or by implication that a consumer will be able to purchase the subject of a consumer transaction as advertised by the Defendant, if the Defendant does not intend to sell it as advertised;

The Defendant shall pay consumer restitution for Lorraine Golan of Merrillville, Indiana, pursuant to Ind. Code §24-5-0.5-4(c)(2), in the amount of One Hundred Dollars (\$100.00), payable to the Office of the Attorney General, for reimbursement of all unlawfully obtained funds remitted by Golan for the purchase of a service contract

6. The Defendant shall pay the Office of the Attorney General, pursuant to Ind. Code § 24-5 -0.5-4(c)(3), the amount of Seven Hundred Fifty Dollars (\$750.00), representing the Plaintiff's costs of investigating and prosecuting this action.

**For a total monetary judgment in the amount of Eight Hundred and Fifty Dollars (\$850.00).**

### **CONTINUING JURISDICTION**

For the purpose of enforcing the provisions of this Consent Judgment, the Defendant waives any objection regarding the Court's jurisdiction to punish for contempt and agrees to appear on proper notice of a failure to comply with any of the provisions of this Judgment.

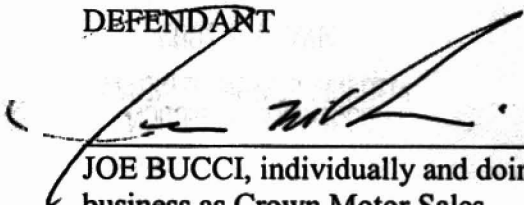
IN WITNESS WHEREOF, the parties have executed this Consent Judgment this 25<sup>th</sup>

day of APRIL 2003.

STATE OF INDIANA

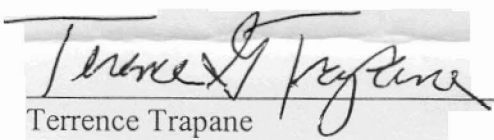
STEVE CARTER  
Indiana Attorney General

DEFENDANT

  
JOE BUCCI, individually and doing  
business as Crown Motor Sales

By: Terry Tolliver  
Terry Tolliver  
Deputy Attorney General  
Atty. No. 22556-49  
Office of Attorney General  
302 W. Washington, 5th Floor  
Indianapolis, Indiana 46204  
Telephone: (317) 232-0167

Approved:

  
Terrence Trapane  
Counsel for Defendant

ALL OF WHICH IS APPROVED, ORDERED, ADJUDGED AND DECREED

this 6<sup>th</sup> day of May, 2003.

  
Judge, Lake Superior Court

Distribution:

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